

Wild Rose State Fish Hatchery
DRAFT Environmental Assessment
Appendix D

REGION 3 FEDERAL ASSISTANCE SECTION 7 EVALUATION FORM

PHASE I: COMPLETED BY STATE

(See Phase I Instructions for completing this form)

For federal assistance programs administered by the USFWS (Division of Federal Assistance.)

State: Wisconsin Agency: Dept. of Natural Resources

Grant Program(s): Sport Fish Restoration

Grant Proposal (GP), Grant Agreement (GA), GP Amendment, GA Amendment (Circle all that apply)

Title and Number (add amendment no.): _____

I. Species/Critical Habitat: List species or critical habitat (or attach list) that are and/or may be present within the action area.

None

II. Description of Proposed Action: Describe the action(s) in sufficient detail so that the potential effects of the action can be identified and fully evaluated.

Wild Rose Fish Hatchery Renovation
(see attached)

III. Description of Effects: Describe the effects, including beneficial, of the project actions on Species/Critical Habitat.

None

IV. Recommended Determination(s) of Effect(s): For all species and critical habitat identified in Section I, mark (X) the appropriate determinations.

A. Listed, Proposed and Candidate Species

☒ a) "No Effect"

List species for which this recommendation is applicable (or attach list): None

☐ b) "May Affect, but is Not Likely to Adversely Affect"

List species for which this recommendation is applicable (or attach list): _____

☐ c) "May Affect, and is Likely to Adversely Affect"

List species for which this recommendation is applicable (or attach list): _____

B. Designated and Proposed Critical Habitat

☒ a) "No Effect" to Critical Habitat

List critical habitat(s) for which the recommendation is applicable. None

☐ b) "May Affect, but is not likely to Adversely Affect"

List critical habitat(s) for which the recommendation is applied. _____

☐ c) "May Affect, and is Likely to Adversely Affect"

List critical habitat(s) for which the recommendation is applied. _____

State Signatures:

Prepared by:

Name/Title: Cheryl Goodman FH SFR Project Leader

Signature: Cheryl Goodman

Telephone No. (608) 267-7506 email: _____

Date: 9/29/2005

Reviewed by:

Name/Title: Andrew P. Galvin / Incidentel Teke Spusht

Signature: AP Galvin

Telephone No. 608-244-2702 email: _____

Date: 9/29/05

Wild Rose Hatchery Renovation

This project entails renovating the Wild Rose Fish Hatchery, making it into a modern state-of-the-art cold and cool water fish rearing facility with a compliant water supply. The major components of the project include:

- Remove existing coldwater and coolwater buildings and raceway structures.
- Construct new brood stock, coldwater and coolwater buildings and raceway pavilions.
- Renovate the existing office building.
- Upgrade the entire electrical system.
- Construct new wastewater treatment facilities.
- Develop a new water supply system that includes new high capacity wells for aquaculture and potable wells for domestic use.
- Seal existing non-compliant wells and water supply facilities.
- Restore wetlands and a portion of the natural stream.
- Preserve historic features, including an historic raceway for purposes of educating the public about historic fish rearing practices.
- Construction of a Visitor Center.

Instructions: Any action the Department conducts, approves, or funds on public or private lands, including projects funded by the Fish and Wildlife Service's Federal Aid program, that may affect state or federal endangered resources is subject to endangered resources screening. Use this form or other documentation of Endangered Resources Review. Place in project file to document that screening was completed. For additional information, consult the ER Screening Guidance or contact the Endangered Resources Program.

Project Information

Reviewer Last Name	First	MI
Kitchel	Lisic	

Project Description – Activity / Management Objective (include date(s) conducted)

Wild Rose Fish Hatchery Renovations

Are proposed activities part of a project funded under Fish and Wildlife Service Federal Aid Program? ☐ No ☒ Yes

County	Township	Range	E/W	Section(s)	DNR Property Name
Waushara	20 N	10	E	24	Wild Rose Fish Hatcery
	20 N	11	E	29	Waterbody Name
	N				Describe Location (if applicable)
	N				

Describe Project Area and Surrounding Landscape (vegetative cover, habitat, waterbodies, river/stream substrate, etc.) and note what info this is based on (e.g., aerial photos, site visit - include date(s) of site visit)

Endangered Resources Information

Endangered Resources Information Reviewed (e.g. NHI Portal, NHI GIS, SEWRPC reports, inventory reports, experts consulted, etc.)
Portal

Extent of Area Screened (e.g. project area and surrounding sections, waterbodies, water systems, etc.)

Project and surrounding area

Specify Species or Communities Recorded within 1 mile of search area (list below or attach). In some cases, a search area greater than 1 mile is necessary. See ER Screening Guidance.

Bartonia virginica[Yellow Screwstem] SC - Historic
Lycaeides melissa samuelis[Karner Blue] SC/FL/LE - Reported in surrounding area

Federal Section 7 / Federal Aid Determination

Do Federally protected species or critical habitat occur at the project area?

☐ No ☒ Yes

(Boxes are automatically checked based on search, or can be manually changed as appropriate.)

If yes, what effect will the proposed activities have on federally listed / proposed / candidate species and designated / proposed critical habitat?

☒ will have "no effect"

Appropriate when the proposed activities will not directly or indirectly affect the above. Place documentation of conclusion in file.

☐ may affect but "not likely to adversely affect"

Appropriate when the proposed activities are not likely to directly or indirectly adversely impact or would be beneficial to above. Beneficial effects are positive effects without any adverse effects to individual animals (includes insects) and plants. Contact the Bureau of Endangered Resources so they can work with the FWS Federal Aid Office to obtain their concurrence on this determination.

☐ may affect and "likely to adversely affect"

Appropriate when the proposed activities are likely to adversely impact the above. Contact the Bureau of Endangered Resources so they can work with the FWS Green Bay Field Office to initiate formal Section 7 consultation.

Provide Short Narrative Explaining Determination and include in file appropriate information (maps, field notes, etc.)

No lupine occur in the project area, although some lupine occur in the general area, these areas will not be impacted by the project as proposed. *per Steve Fafjer memo.*

State Endangered Resources Determination

Do State-listed species occur at the project area?

☒ No ☐ Yes

(Boxes are automatically checked based on search, or can be manually changed as appropriate.)

If yes, will the proposed activities result in the Take of state listed species that are present or likely present in the project area?

☐ No – Provide short narrative explaining determination (unsuitable habitat, measures to avoid take, etc.).
No further action needed – Place documentation in project file.

☐ Yes – Incidental take authorization is likely. Contact the Incidental Take Consultation Specialist at BER to initiate the formal consultation process for the take of a listed species.

Provide Short Narrative Explaining Determination and include in file appropriate information (maps, field notes, etc.)

Basis for Determination

Determination regarding presence of endangered resources and potential impact based on: (include in file appropriate information [maps, field notes, etc.])

☒ Personal Knowledge of Site and Species

☒ Experts: Steven Fafjer - Operations Supervisor at Wild Rose

☐ Site Visit

☐ Other (specify): _____

Grassland and Savanna Management Determination

If the objective of the proposed activities is to maintain or improve grassland or savanna habitat, broad taking coverage may be authorized through the Grassland/Savanna Management Taking Authorization. The listed species must be covered by the Authorization and the Conditions of the Authorization must be followed. See the Grassland/Savanna documentation for Conditions, grassland/savanna definitions, approved activities, and management protocols.

For grassland/savanna management activities, were the management protocols for the listed species followed?

☐ Yes – Describe how:

☐ No – Briefly describe the alternative to the protocol that was followed (include experts consulted):

Were Presence / Absence Surveys Conducted?

☐ Yes ☐ No

Optional Grassland/Savanna Documentation: Describe Special Concern species and/or Natural Communities present, and measures to minimize or avoid impacts:

Estimated Project Acreage Covered by Authorization

Reviewer Certification

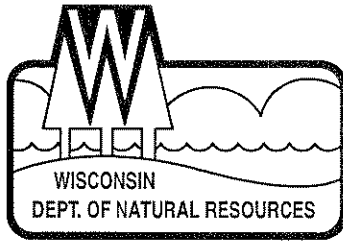
I hereby certify that the above review documentation is true and correct to the best of my knowledge.

Signature of Project Reviewer

Date Signed

HE Fafjer

1/28/05



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY 608-267-6897

September 11, 2005

IN REPLY REFER TO: 1650

Suzanne Johnson
Liesch Associates, Inc.
13400 15th Ave. North
Plymouth, MN 55441

SUBJECT: Endangered Resources Information Review (Log Number 05-226)
Wild Rose Fish Hatchery Water Supply Compliance and Renovation Project

Dear Ms. Johnson:

The Bureau of Endangered Resources has reviewed the project area described in your letter for the proposed design and construction of improvements to the Wild Rose State Fish Hatchery, near Wild Rose, Wisconsin.

Our Natural Heritage Inventory data files contain information on only one record for the project area located in Section 24 of T20N R10E and Section 19 of T20 N R11E, Waushara County, Wisconsin. This rare species is not known to occur in the immediate project area, but was reported within two miles of the project's location. This information is provided to assist in determining if appropriate habitat exists for the species to occur in the project's impact area. Endangered resources occurring in proximity to the project area:

Lycaeides samuelis (Karner blue), a butterfly listed as Federally Endangered and Special Concern in Wisconsin, occurs at numerous locations within the town-ranges of the project area. The observation date for these occurrence records is 1998. The Karner blue prefers semi-open oak openings, pine barrens, and oak-pine barrens supporting wild lupine (*Lupinus perennis*), its only larval foodplant. This butterfly has two flight periods: one beginning in late May through mid-June and a second from mid-to-late July through early August.

If the proposed project will impact any wild lupine populations, I recommend that these areas be surveyed for the Karner Blue Butterfly. If this species is located in the project's impact area, then you will need to coordinate with our Bureau and the Fish and Wildlife Service to get authorization for the project to proceed. If areas with wild lupine occur in the project impact area and have previously been surveyed with no Karners found, please provide that information to our Bureau. If no wild lupine occurs in the project area, or areas containing wild lupine can be avoided, no surveys are necessary.


In addition to the above information, our data files also contain historical records (records 25 years or older) of rare species known to occur within the vicinity of the project site. There is an historic record for a plant, the Yellow Screwstem (*Bartonia virginia*), from 1913 in the project area, however it is not likely that this species still occurs in the project area and no surveys would be necessary for this species.

Comprehensive endangered resource surveys have not been completed for the project area. As a result, our data files may be incomplete. However, given your description of the project site and the nature of the proposed project I do not believe that further endangered resource surveys are warranted, other than those noted above regarding the Karner Blue Butterfly.

This letter is for informational purposes and only addresses endangered resource issues. This letter does not constitute Department of Natural Resources authorization of the project and does not exempt the project from securing necessary permits and approvals from the Department.

Please give me a call at (608) 266-5248 if you have any questions about this information.

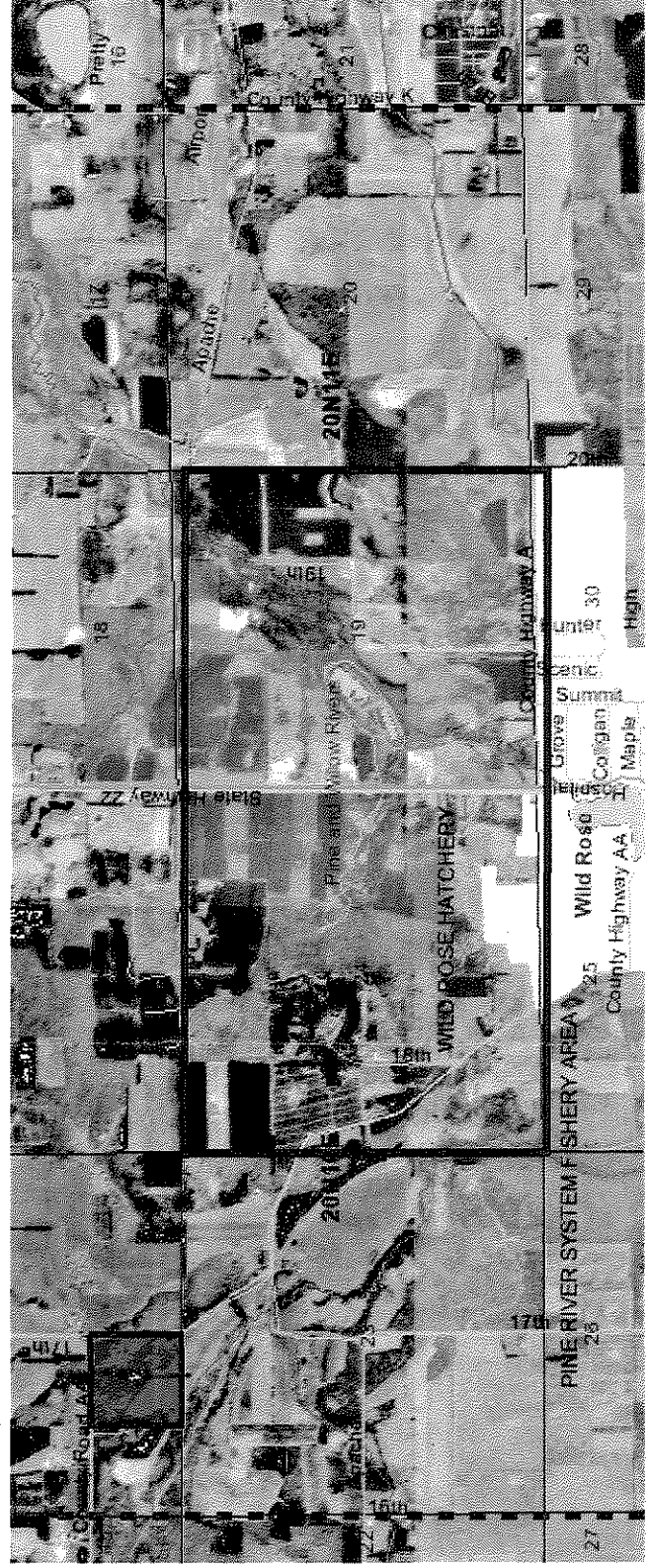
Sincerely,

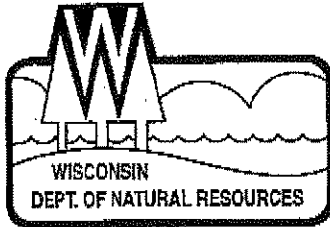
A handwritten signature in cursive script that reads "Helen Elise Kitchel". The signature is written in dark ink and is positioned above the printed name and title.

Helen Elise Kitchel
Environmental Review Specialist

enclosure – map

cc: Alfred Kaas – DNR/GEFII/FH-4
Bill Furbish – DNR/GEFII/DG-2





State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY 608-267-6897

September 27, 2005

IN REPLY REFER TO: 1650

Suzanne Johnson
Liesch Associates, Inc.
13400 15th Ave. North
Plymouth, MN 55441

SUBJECT: Wild Rose Fish Hatchery Water Supply Compliance and Renovation Project
Endangered Resources Review follow-up (ERIR Log Number 05-226)
Verification of no Endangered Resources in the project area

Dear Ms. Johnson:

In response to our September 11, 2005 letter indicating the potential for Karner Blue Butterfly (*Lycæides samuelis*) to occur in the proposed project area we have received verification from Steven Fajfer, Operations Supervisor for the Wild Rose Fish Hatchery, that there are no wild lupine (*Lupinus perennis*) plants in the project area. It is my understanding that there have been attempts to establish wild lupine in areas around the hatchery, but none of these areas are in proximity to the proposed project impact area.

The lack of wild lupine in the project area makes it unlikely that the Karner Blue Butterfly would be found to occur in the project area. Therefore this project, as proposed, would not adversely impact this federally listed species.

At this time, there are no other state or federally listed threatened or endangered species known or likely to occur in the project area. Although some listed species may occur or historically occurred in the general area outside of Wild Rose Fish Hatchery they are not likely to occur in the project impact area due to lack of suitable habitat for those species.

I do not believe that further endangered resource surveys are warranted, nor do I believe that any state or federally listed species are likely to occur in the project area.

Please give me a call at (608) 266-5248 if you have any questions about this information.

Sincerely,

Helen Elise Kitchel
Environmental Review Specialist

cc: Alfred Kaas - DNR/GEFII/FH-4
Bill Furbish - DNR/GEFII/DG-2

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DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

FEDERAL FISH AND WILDLIFE PERMIT

2. AUTHORITY-STATUTES
16 USC 703-712

1. PERMITTEE

WISCONSIN DNR STATE FISH HATCHERY
WILD ROSE STATE FISH HATCHERY
N5871 ST RD 22
WILD ROSE, WI 54984

REGULATIONS (Attached)
50 CFR Part 13
50 CFR 21.41

3. NUMBER
MB716112-0

4. RENEWABLE
YES
NO

5. MAY COPY
YES
NO

6. EFFECTIVE
01/01/2005

7. EXPIRES
12/31/2005

8. NAME AND TITLE OF PRINCIPAL OFFICER (If #1 is a business)
STEVEN FAJFER

9. TYPE OF PERMIT
DEPREDATION

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED
WILD ROSE STATE FISH HATCHERY
N5871 STATE RD 22
WILD ROSE, WISCONSIN

11. CONDITIONS AND AUTHORIZATIONS:

A. GENERAL CONDITIONS SET OUT IN SUBPART D OF 50 CFR 13, AND SPECIFIC CONDITIONS CONTAINED IN FEDERAL REGULATIONS CITED IN BLOCK #2 ABOVE, ARE HEREBY MADE A PART OF THIS PERMIT. ALL ACTIVITIES AUTHORIZED HEREIN MUST BE CARRIED OUT IN ACCORD WITH AND FOR THE PURPOSES DESCRIBED IN THE APPLICATION SUBMITTED. CONTINUED VALIDITY, OR RENEWAL OF THIS PERMIT IS SUBJECT TO COMPLETE AND TIMELY COMPLIANCE WITH ALL APPLICABLE CONDITIONS, INCLUDING THE FILING OF ALL REQUIRED INFORMATION AND REPORTS.

B. THE VALIDITY OF THIS PERMIT IS ALSO CONDITIONED UPON STRICT OBSERVANCE OF ALL APPLICABLE FOREIGN, STATE, LOCAL OR OTHER FEDERAL LAW.

C. VALID FOR USE BY PERMITTEE NAMED ABOVE.

D. AUTHORIZED TO KILL UP TO:

18 KINGFISHERS 15 GREAT-BLUE HERONS 4 DOUBLE-CRESTED CORMORANTS 2 GREEN HERONS.

DEPREDATING CROWS AND GRACKLES CAN BE REMOVED UNDER 50 CFR 21.43. BIRDS MAY BE KILLED ONLY IN CONJUNCTION WITH AN ON-GOING NON-LETHAL CONTROL PROGRAM.

E. METHOD OF TAKING IS LIMITED TO THE USE OF A SHOTGUN, NO LARGER THAN 10 GAUGE, FIRED FROM THE SHOULDER ON OR OVER THREATENED AREAS ONLY AND IN ACCORDANCE WITH LOCAL AREA ORDINANCES. NON-TOXIC SHOT MUST BE USED.

F. THE FOLLOWING ARE AUTHORIZED TO CONDUCT THE DEPREDATION ACTIVITY: RICH KLETT, DAVE SWANSBY, TODD RICH, RYAN ZERNACH, AND STEVE FAJFER.

G. PERMITTEE MUST ALSO COMPLY WITH ATTACHED *Reviewed by Wisconsin* CONDITIONS.

Department of Natural Resources

Bryan W. Winkler
FEB 21 2005

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT DUE: 1/10

ISSUED BY

Stephen D. Wicks

TITLE

CHIEF - MIGRATORY BIRD PERMITS

DATE

01/19/2005

**STANDARD CONDITIONS
MIGRATORY BIRD DEPREDATION PERMITS
(50 CFR Part 13; 50 CFR 21.41)**

Standard conditions for depredation permits are below. Failure to comply with the conditions of your permit could be cause for suspension of the permit. If you have questions regarding the conditions of your permit, refer to the regulations or contact the migratory bird permit office that issued your permit. Regulations and contact information are available on the Internet at: <http://permits.fws.gov/ltr/ltr.shtml>.

1. You, and any subpermittees, must carry a legible copy of this permit, and display it upon request, whenever you are exercising its authority.
2. You may not exercise the authorization granted by this permit contrary to the laws of the applicable State, County, Municipal, or Tribal government, or any other applicable law.
3. You are not authorized to take, capture, or harass Bald or Golden Eagles or federally listed threatened or endangered species.
4. You may not use blinds, pits or other means of concealment, decoys, duck calls, or other devices to lure or entice birds within gun range.
5. If you use a shotgun to take birds, it can be no larger than 10 gauge and it must be fired from the shoulder. You must use a nontoxic shot listed in 50 CFR 20.21(j).
6. To minimize lethal take of birds, you are required to continually apply nonlethal methods of harassment alternately with lethal control.
7. You are not authorized to take any birds, nests, or eggs, or to release birds on Federal or State lands or other public or private property without additional written authorization, permission, or permits from the applicable Federal or State agency, landowner, or custodian.
8. Unless otherwise specified on the face of the permit, birds, nests or eggs taken under this permit must be (1) turned over to the U.S. Department of Agriculture for official purposes, (2) donated to a public educational or scientific institution as defined in 50 CFR 10, or (3) completely destroyed by burial or incineration.
9. You must maintain records of the activities conducted under your permit for 5 years from the date of expiration of the permit (50 CFR 13.46), including the following information: species (common name); date taken; location where taken; number of birds killed or relocated; number of eggs, or nests with eggs, taken or relocated; name of person taking birds; and the final disposition of the birds or eggs.
10. You must keep all records relating to the permitted activities at the location(s) identified in writing by you to the issuing office.
11. Acceptance of this permit authorizes the Service to inspect any wildlife held, and to audit or copy any permits, books, or records required to be kept by the permit and governing regulations.

(3/25/2004)